

United States District Court, Northern District of Illinois

MHN

Name of Assigned Judge or Magistrate Judge	JOHN W. DARRAH	Sitting Judge if Other than Assigned Judge	<i>John W. Darrah</i>
CASE NUMBER	09 C 4660	DATE	3-31-10
CASE TITLE	John Adkisson (#K-50585) vs. C/O Tedesco, et al. 3-31-2010		

DOCKET ENTRY TEXT:

The plaintiff is ordered to show good cause in writing why this case should not be dismissed for want of prosecution. Failure to respond within fourteen days of the date of this order will result in summary dismissal of this action, on the understanding that the plaintiff no longer wishes to pursue his claims.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

The plaintiff, currently a state prisoner, has brought this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. The plaintiff claims that the defendant, a correctional officer at the Cook County Jail, violated the plaintiff's constitutional rights by using unjustified force against him. This matter is before the court to verify the plaintiff's interest in pursuing his claims.

On January 29, 2010, the defendant filed a motion to dismiss the complaint for failure to state a claim. The defendant argues that neither the *de minimis* force described in the complaint nor allegedly abusive language rises to the level of a constitutional violation. Although advised of his opportunity to respond, *see* briefing schedule entered February 5, 2010, and granted an extension of time by Minute Order of March 4, 2010, the plaintiff has not filed an opposing brief contesting the motion. The court will not prosecute the plaintiff's case for him.

For the foregoing reasons, the plaintiff is ordered to show good cause in writing why this case should not be dismissed for want of prosecution. Failure to respond within fourteen days of the date of this order will result in summary dismissal of this action, on the understanding that the plaintiff no longer wishes to proceed with this lawsuit.

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U.S. DISTRICT COURT
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